

AGENDA

ITMA 18th ANNUAL CONFERENCE

“Strategies to Address Management of the Trust in the New Administration – Impact and Challenges of Tribal Governments”

October 1-3, 2008

South Point Hotel & Casino
9777 Las Vegas Blvd South
Las Vegas, NV 89183

WEDNESDAY – October 1, 2008

Room to be Announced

8:30 a.m.....CONTINENTAL BREAKFAST

9:00 a.m. CALL TO ORDER & WELCOME.....ITMA Chairman Mervin Packineau
Tribal Council, Three Affiliated Tribes

INVOCATION.....ITMA Board Member Scott Russell
Tribal Council, Crow Tribe

ROLL CALL / INTRODUCTIONS.....ITMA Secretary Melinda Danforth
Tribal Council, Oneida Nation

ITMA CHAIRMAN’S REPORT

An overview of the Intertribal Monitoring Association and an explanation of the process for ensuring tribal participation in Association trust-related goals as established by the membership. ITMA’s relationship to Indian organizations, the Federal government and the Congress.

.....Chairman Mervin Packineau

**REVIEW OF FY’08 ANNUAL CONFERENCE AGENDA
& OVERVIEW OF ITMA ACTIVITIES**

A review of the 2008 Annual Conference Agenda. Provide an overview of projects ITMA has been involved in throughout FY08. Describe issues to be presented for discussion at this session for tribal input in developing initiatives for FY2009.

..... Mary Zuni-Chalan
ITMA Executive Director

ITMA MONITORING REPORT

A report on the monitoring activities of ongoing trust reform and resources initiatives of the Federal government - OST and BIA. In addition to monthly meetings with OST, staff conducted in-depth review and problem solving regarding issues that impact all tribes.

.....Brian Gunn, Esq
ITMA Trust Monitor Consultant

10:00 a.m. EMERGING TRUST ISSUES - ITMA LISTENING CONFERENCES

ITMA hosted two Listening Conferences in Indian Country in 2008. The sessions, held on Indian reservations, enabled OST and BIA officials to learn firsthand from tribal representatives and Indian individuals about trust-related problems at their local levels. Recurring issues raised at sessions are potential policy initiatives for ITMA.

ITMA LISTENING CONFERENCE PRESENTATIONS

Yakama Nation.....Chairman Ralph Sampson
Osage Nation.....Governmental Affairs Director David Conrad

10:30 a.m. Break

10:45 a.m. THE CHALLENGES OF TRIBES TO BALANCE PROTECTING TRIBAL GOVERNMENTS AND INDIAN INDIVIDUALS

A Power Point presentation discussing the challenges that Tribal Governments face as they perform the responsibility of protecting tribal governance and tribal members' rights.

.....**Professor Richard Monette, Esq.**
University of Wisconsin School of Law
Former Tribal Chairman of Turtle Mountain Band of Chippewa

12:00 p.m. Lunch (on your own)

1:00 p.m. OFFICE OF THE SPECIAL TRUSTEE – ACTIVITIES UPDATE

Description of the 1994 Trust Reform Act and the plans for the 'sunset' clause. Report on the status of the Fiduciary Trust Model (FTM) reorganization. Update on Regional and Agency Reform Projects. Review of Senior Management Positions, SES positions and functions. Status of Office of Appraisal Services activities and Indian Preference ruling. OST FY2009 Budget Overview.

.....**Special Trustee for American Indians Ross O. Swimmer**
Office of the Special Trustee

2:00 p.m. BUREAU OF INDIAN AFFAIRS – ACTIVITIES UPDATE

Update on the Department's efforts to deal with issues raised in the Modernization initiative, and the plan for institutional training. Regional and Agency Reform Projects. BIA Senior Management positions and functions, including SES positions, BIA FY2009 Budget Overview.

.....**Deputy Bureau Director – Field Operations Michael Smith**
Bureau of Indian Affairs Central Office

OFFICE OF TRUST RESPONSIBILITY

Plan to address natural resource issues in 2009. Status of Departmental Regulatory initiative. Report on the Fee to Trust Handbook designed to reduce number of steps to what regulations and policies require.

.....**Deputy Director – Trust Services Vicky Forrest**
Bureau of Indian Affairs Central Office

2:45 a.m. Break

3:00 p.m. TRIBAL TRUST FUND SETTLEMENT PROJECT (TTFSP)

In November 2004, ITMA engaged in a cooperative agreement with the DOI Office of Historical Trust Accounting (OHTA) to develop a Tribal Trust Fund Settlement Methodology that could be used by tribes on a voluntary basis, to reach timely settlements. With the assistance of seven tribes, the project was successfully completed in July 2008. Discussion on the next steps; how Tribes can utilize the process.

.....**ITMA Lead Consultant Sandra Johnigan, CPA**
.....**OHTA Project Director John McClanahan**

TRIBAL PANEL - TRIBAL INVOLVEMENT AND PROPOSED UTILIZATION OF TTFS METHODOLOGY

Nez Perce Tribe.....Chairman Sam Penney
Sac and Fox Nation.....Chief George Thurman
Yakama Tribe.....Chairman Ralph Sampson
Coeur D’Alene.....Councilman Ernest Stensgar
Picuris Pueblo.....Governor Craig Quanchello
Fort Belknap Tribe.....Counsel Jim Vogel
Colville Tribe.....Vice Chair Michael Finley

4:15 p.m. INDIAN TRUST FUNDS AND THE FINANCIAL MELT DOWN

A perspective on investment of Tribal Trust Funds and relationship to the current financial crisis...Fannie Mae and Freddie Mac. Evaporation of returns on short term treasury securities and moving funds in and out of trust – a cautionary note.

.....David Harrison, Esq.

5:00 p.m. ANNUAL CONFERENCE RECESS

5:15 p.m. ITMA TRIBAL MEMBERS BUSINESS MEETING

MEETING AGENDA FOLLOWS

WEDNESDAY, October 1, 2008
5:30 p.m. – 6:00 p.m.

ITMA GENERAL MEMBERSHIP BUSINESS MEETING

AGENDA

CALL TO ORDER.....Chairman Mervin Packineau

TRIBAL MEMBER ROLL CALL.....Secretary Melinda Danforth

AGENDA ITEMS

- Election of FY 2009 ITMA Board of Directors
 - Five Board Seats Expiring
 - Associations Representative *tbd by Associations*
- Only ITMA Tribal members in good standing are allowed to participate in the voting process.
- Only official Tribal leaders or Delegates on file with ITMA are eligible to nominate and vote
 - The Board seat belongs to the Tribe, who designates its representative
 - Six seats expire at the October 2008 Conference (other current seated Tribes serve thru October 2009)
 - Official Tribal Delegate on record with ITMA must be present to accept nomination for Board seat
 - Newly elected Board Members serve a two-year term – beginning October 2008 ending at Annual Conference 2010

Five Board Member terms ENDING AT OCTOBER 2008 Annual Conference. Elections to be conducted for the seats presently held by:

- | | |
|----------------------------------|---------------------------|
| 1. Oneida Nation of Wisconsin | 4. Warm Springs Tribes |
| 2. Salish & Kootenai Tribes | 5. Tlingit & Haida Tribes |
| 3. Sisseton Wahpeton Oyate Tribe | |
- Associations Representative appointment must come from Allottee Associations

Current ITMA Board of Directors Members to SERVE THROUGH 2009 Annual Conference:

- | | |
|----------------------------|--------------------|
| 1. Osage Tribe | 5. Nez Perce Tribe |
| 2. Three Affiliated Tribes | 6. Blackfeet Tribe |
| 3. Colville Tribes | 7. Crow Tribe |
| 4. Chippewa Cree Tribe | |

*******Adjournment of ITMA Business Meeting**

ITMA FY '09 Board of Directors Meeting

- Election of FY '09 Board Officers
 - Chairman
 - Vice Chairman
 - Secretary
 - Treasurer

THURSDAY– October 2, 2008

Room to be Announced

8:30 a.m. CONTINENTAL BREAKFAST

9:00 a.m. RECONVENE MEETING.....ITMA Chairman

**INVOCATION.....Mark Chalan
Cochiti Pueblo**

ANNOUNCEMENTS.....ITMA Executive Director

9:05 a.m. OVERVIEW OF THE FRACTIONATED OWNERSHIP OF TRUST LANDS

A Power Point presentation on the history and background of the fractionated land ownership problem and how it got started, how many lands were allotted, and where we are today.

.....**Majel Russell, Esq.**

PANEL DISCUSSION – FRACTIONATION INITIATIVES & ACCOMPLISHMENTS

Discussion on previous legislative and Administrative efforts to deal with fractionated ownership of trust lands. Description of AIPRA and ILCA.

.....**Panel Moderator, Majel Russell, Esq.**

Senate Indian Affairs Committee (Minority).....David Mullon, Esq.

House Resources Committee (Majority).....Chris Fluhr, Esq. (Invited)

House Resources Committee (Minority).....Marie Howard, Staff Director (Invited)

Break

INDIAN LAND CONSOLIDATION CENTER

A Power Point overview and report on the Bureau of Indian Affairs Indian Land consolidation Center (ILCC), its program objectives and accomplishments. Presentation of actual facts.

..... **Robin Jeager, Director
ILCC**

OFFICE OF MINERALS EVALUATION

The OME office, slated for closure due to budget cuts in FY2009, has been realigned and while funding does not cover all needs, the program is available to perform analysis of federal and individual Indian client needs. OME can assist BIA and OST in valuing allotted parcels or entire reservations. A review of services available to tribes through the program will be discussed. OME can assist BIA and OST in valuing allotted parcels or entire reservations.

12:00 Noon – ANNUAL LUNCHEON & ART AUCTION

1:30 p.m. THE ITMA INITIATIVE TO ADDRESS ISSUES OF FRACTIONATED LAND OWNERSHIP

ITMA seeks to generate active tribal participation in fashioning approaches to address the issue of fractionated land ownership throughout Indian Country. ITMA has hosted dialogue sessions with tribes and appropriate Indian organizations throughout the regions where the 219 allotted reservations are located to assemble knowledge and insights that have already been generated from their years of dealing with natural resource and land-based issues from their various perspectives.

From these sessions, ITMA will present to the Federal government and Congress the perspectives and issues presented by tribes and Indian land owners, and recommendations for dealing with fractionation issues in consideration of tribal economies, jurisdiction, and self-governance.

POSSIBLE STRATEGIES AND TOOLS AVAILABLE TO DEAL WITH THE FRACTIONATED LAND OWNERSHIP

A presentation from congressional, tribal and Indian organizations’ representatives on available alternatives and tools for tribes and individuals to consider in dealing with fractionation issues. A description of AIPRA, options in consolidation prior to and at probate, and management of private trusts.

.....Moderator - Majel Russell, Esq.

Senate Indian Affairs Committee (Minority).....David Mullon, Esq.
 Rocky Mountain Region Probate and Appeals Office.....Jim Yellowtail, Esq.
 BIA (Management of Family Trusts).....Margaret Treadway, Esq.
 Hoopa Valley Tribe.....Chairman Lyle Marshall, Esq.
 Rosebud Tribal Land Enterprise.....Calvin Waln, Director
 Tribal Probate Code.....Nez Perce Chairman Sam Penney

3:30 p.m. Break

3:45 p.m. INDIVIDUAL LAND OWNER PERSPECTIVE IN ADDRESSING FRACTIONATION

An observation to the issue of fractionation and considerations on behalf of an individual Indian land owner.

.....Sharon Red Thunder, Consultant

4:00 p.m. TRIBAL LEADER AND REPRESENTATIVES OPEN DIALOGUE

A summary of recommendations from Indian Country, Indian organizations and Indian individual’s obtained through recent dialogue sessions. ITMA seeks reaction and additional recommendations from meeting participants.

- *Legislative options to further address fractionated land ownership*
- *Adequate funding for consolidation efforts*
- *Tribal management authority over land consolidation*
- *Options to address lands held by ‘Whereabouts Unknown’ persons*
- *Options to address unclaimed property*
- *Options to address appraisal concerns*
- *Creation of incentives to induce willing sellers*

5:00 p.m. RECESS

FRIDAY – October 3, 2008

Room to be Announced

8:30 a.m.

CONTINENTAL BREAKFAST

9:00 a.m. RECONVENE GENERAL ASSEMBLY

Invocation.....Tribal Member Tribes

Announcements.....Executive Director

9:05 a.m. COUNCIL OF ENERGY RESOURCES TRIBES

Tribal Energy agenda for the future. Indian Policy and self-determination.

.....**Executive Director David Lester**
Council of Energy Resources Tribes

9:15 a.m. INTERTRIBAL BISON COOPERATIVE

Restoration of buffalo to tribal trust lands as a beneficial use of trust lands for tribes and individuals.

.....**Executive Director Jim Stone**
ITBC

9:45 a.m. ON-SITE DEMONSTRATION OF TAAMS OPERATING SYSTEM

An update on the status of the TAAMS system and an actual on site presentation of system capabilities. The Rocky Mountain was the first BIA Region to get the TAAMS system.

.....**Edward Parisian, Regional Director**
.....**Darryll LaCounte, Deputy Regional Director**
Rocky Mountain Region

11:00 a.m. LITIGATION REPORTS

Update on current tribal and individual Indian trust related law suits.

TRIBAL CLASS ACTION LITIGATION

Brief overview of the current tribal trust funds and resources related litigation.
Discussions from the floor by tribal attorneys encouraged.

.....**Melody McCoy, Esq.**
Native American Rights Fund

REPORT ON COBELL LAWSUIT

Status report on the Cobell Lawsuit.

.....**Keith Harper, Esq. (Invited)**
Kilpatrick Stockton LLP

12:00 p.m. CLOSING INVOCATION

.....**Tribal Representative**

ADJOURNMENT OF THE 18TH ANNUAL CONFERENCE

Safe Travels